

THURSDAY, FEBRUARY 25, 1982

SEVENTY-FOURTH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Ron Davidson, Calvary Baptist Church, Brownsville, Tennessee.

Representative Crain led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

The Speaker announced that Representative Smith was excused because of business.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 313 and 348, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

336--Relative to congratulating Beauty Queen Tina Renee Blankenship; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

212--Relative to study, transportation services; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1120--To fix penalties, receiving money certain contracts;

1484--To enact the Tennessee Criminal Sentencing Reform Act of 1982;

1521--To regulate retirement benefits, former governor;

1569--To amend Shelby County Restructure Act;

1591--To regulate group insurance, certain persons;

1639--To amend Title 64, Chapter 11, Code;

1675--To regulate issuance, certain license plates;

1726--To regulate Tennessee Law Enforcement Planning Commission;

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1749--To amend Section 57-3-213, Code;

1751--To amend Section 8-23-204, Code;

1849--To amend Shelby County Restructure Act;

2269--To regulate Knox County School Board; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

1755--To regulate bonds, county officers; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 1768; and House Joint Resolution No. 300; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 1768; and House Joint Resolution No. 300.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 1633 for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint

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Resolutions Nos.:

325--Relative to appreciation, W. R. Kinton, Jr.;

326--Relative to honoring the Tsoysa Indian Dance Team;

328--Relative to honoring Mayor Charles H. Huggins, Gleason;

329--Relative to honoring Debra Carter;

330--Relative to commending Alpha Phi Omega fraternity;

332--Relative to memory, Will Evers;

333--Relative to memory, Captain Willie Mays;

334--Relative to congratulating Doug Atkins; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1537--To amend Sections 55-10-406 and 55-10-410, Code;

1675--To provide for Interstate Oil and Gas Compacts;

1707--To terminate the Mineral Test Hole Regulatory Board; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CALENDAR

House Joint Resolution No. 305--Relative to renaming Nashville Area Vocational-Technical School.

Mr. Ellis moved that House Joint Resolution No. 305 be adopted.

Mr. Lashlee moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 305 by deleting from the caption the words "rename the Nashville Area Vocational-Technical School the Matt Lynch Vocational-Technical School" and substituting instead the words "name the campus of the Nashville Area Vocational-Technical School for Matt Lynch".

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AND FURTHER AMEND by deleting the first resolving clause and substituting instead the following new clauses:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that the campus of the Nashville Area Vocational-Technical School is hereby named the Matt Lynch Campus.

BE IT FURTHER RESOLVED, that the Department of Education is directed to erect appropriate signs to designate the Matt Lynch Campus of the Nashville Area Vocational-Technical School.

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 305, as amended, was adopted by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

House Bill No. 1493--To change retirement benefits, General Assembly.

Mr. Rhinehart moved that House Bill No. 1493 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry,

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DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representatives present and not voting were: Kent and Turner--2.

A motion to reconsider was tabled.

House Bill No. 1621--To amend liquor license, Section 57-3-213, Code.

On motion, House Bill No. 1621 was made to conform with Senate Bill No. 1749.

On motion, Senate Bill No. 1749, on same subject, was substituted for House Bill No. 1621.

Mr. Rhinehart moved that Senate Bill No. 1749 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Small, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representatives present and not voting were: Buck, Dills, Shockley and Stafford--4.

A motion to reconsider was tabled.

House Bill No. 1625--To regulate handling of alcoholic beverages.

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Mr. Rhinehart moved that House Bill No. 1625 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1625 by deleting from the amendatory language of Section 1 the word "counties" and substituting instead the word "jurisdictions".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1625, as amended, passed its third and final consideration by the following vote:

Ayes	57
Noes	26
Present and not voting	10

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Covington, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Disspayne, Ellis, Frensley, Gaia, Gill, Hudson, Jared, Johnson, Jones, Kelley, Kernell, King (Washington), Lashlee, Love, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Sir, Spence, Starnes, Tanner, Ussery, Webb, Wheeler, Whitson, Work and Mr. Speaker McWherter--57.

Representatives voting no were: Carter, Copeland, Crain, Davis (Pickett), Dills, Duer, Duncan, Ford, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Kent, McAfee, Robertson, Scruggs, Shockley, Small, Stafford, Stallings, Sterling, Turner, Wolfe, Wood and Yelton--26

Representatives present and not voting were: Baker, Buck, Byrd, Henry (Blount), Moore, Pickering, Richardson, Shirley, Wallace and Wix--10.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

Mr. Hudson moved that House Bill No. 1117 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1596--To amend Section 57-4-102, Code.

Mr. Hudson moved that House Bill No. 1596 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1596 by deleting Section 1 in its entirety and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 57-4-102, subsection (i), is amended by inserting the words "for profit or" between the words "by a" and "not-for-profit" in the first sentence.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1596, as amended, failed to receive a constitutional majority by the following vote:

Ayes	41
Noes	35
Present and not voting	14

Representatives voting aye were: Baker, Bell (Knox), Bewley, Brewer, Chiles, Clark (Sumner), Disspayne, Ellis, Ford, Gaia, Gill, Hudson, Jared, Jones, Kernell, Lashlee, Love, McKinney, McNally, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Naifeh, Owen, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler and Whitson--41.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Byrd, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Duncan, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Johnson, Kelley, Kent, King (Shelby), King (Washington), McAfee, Montgomery, Murray, Richardson, Robertson, Shockley, Sir, Small, Stallings, Turner, Wolfe, Wood, Work and Yelton--35.

Representatives present and not voting were: Bragg, Buck, Burnett, Clark (Davidson), Covington, Crain, DePriest, Frensley, Pickering, Shirley, Spence, Stafford, Starnes and Wix--14.

Under the rules, House Bill No. 1596 was re-referred to the Committee on Calendar and Rules.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 1946--To amend Chapter 3, Title 45, Code.

Mr. Martin moved that House Bill No. 1946 be passed on third and final consideration.

Mr. Tanner moved to amend as follows:

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AMENDMENT NO. 1

Amend House Bill No. 1946 by striking out the parenthesis in the last clause of SECTION 2

AND FURTHER AMEND by adding a new SECTION 1 and by re-numbering subsequent sections, said new section to read as follows:

SECTION 1. Tennessee Code Annotated, Section 45-3-1101 is amended by striking the period at the end of the first sentence and adding the words: "or may change its charter to that of another business organization."

AND FURTHER AMEND by adding a new SECTION 2 and by re-numbering subsequent sections, said new section to read as follows:

SECTION 2. Tennessee Code Annotated, Section 45-3-1102 is amended by adding at the end thereof the following sentence:

The word "association" as used herein shall be deemed to include any other type of business organization so long as one of the parties to the merger or consolidation transaction is a savings and loan association.

On motion, the amendment was adopted.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1946 by deleting Section 4 in its entirety and by renumbering the subsequent sections accordingly.

On motion, the amendment was adopted.

Mr. Martin moved that House Bill No. 1946 be placed on the Calendar for Monday, March 8, 1982, which motion prevailed.

Mr. Martin moved that House Bill No. 1945 be placed on the Calendar for Monday, March 8, 1982, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills No.:

1618--To regulate retirement benefits, General Assembly members; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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FURTHER CONSIDERATION OF HOUSE BILL NO. 1493

House Bill No. 1493--To change retirement benefits, General Assembly.

Mr. Rhinehart moved that the motion to reconsider House Bill No. 1493 be lifted from the table, which motion prevailed.

Mr. Rhinehart moved that the House reconsider its action in passing House Bill No. 1493 on third and final consideration, which motion prevailed.

On motion, House Bill No. 1493 was made to conform with Senate Bill No. 1618.

On motion, Senate Bill No. 1618, on same subject, was substituted for House Bill No. 1493.

Mr. Rhinehart moved that Senate Bill No. 1618 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	1
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frenslley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Washington), Lashlee, Love, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Spence, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representative voting no was: Small--1.

Representatives present and not voting were: Kent, Stafford and Turner--3.

A motion to reconsider was tabled.

House Bill No. 1576--To make misdemeanor, tatooing of minors.

Mr. Severance moved that House Bill No. 1576 be passed on third and final consideration.

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Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1576 by inserting the word "intentionally" between the words "means to" and "mark" in the amendatory language of subsection (a) of Section 1.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1576, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	1
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Chiles--1.

Representative present and not voting was: Spence--1.

A motion to reconsider was tabled.

House Bill No. 1542--To consolidate certain sexual offenses, code commission.

On motion, House Bill No. 1542 was made to conform with Senate Bill No. 1464.

On motion, Senate Bill No. 1464, on same subject, was substituted for House Bill No. 1542.

Ms. Gaia moved that Senate Bill No. 1464 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 96
Noes 0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 1544--To allow revocation of bond, conviction of certain offenses.

On motion, House Bill No. 1544 was made to conform with Senate Bill No. 1460.

On motion, Senate Bill No. 1460, on same subject, was substituted for House Bill No. 1544.

Mr. Kent moved that Senate Bill No. 1460 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

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Mr. Murphy (Davidson) moved that House Bill No. 1443 be placed on the Calendar for Thursday, March 4, 1982, which motion prevailed.

House Bill No. 1662--To make provisions, certain bonds.

On motion, House Bill No. 1662 was made to conform with Senate Bill No. 1755.

On motion, Senate Bill No. 1755, on same subject, was substituted for House Bill No. 1662.

Mr. Bragg moved that Senate Bill No. 1755 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1755 by inserting the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Notwithstanding any provision of the law to the contrary, an official bond as required by law for a constable shall be a surety bond.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1755, as amended, passed its third and final consideration by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

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House Bill No. 1663--To appoint an assistant director of local finance.

On motion, House Bill No. 1663 was made to conform with Senate Bill No. 1650.

On motion, Senate Bill No. 1650, on same subject, was substituted for House Bill No. 1663.

Mr. Bragg moved that Senate Bill No. 1650 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1665--To regulate Elevator Safety Board.

On motion, House Bill No. 1665 was made to conform with Senate Bill No. 1601.

On motion, Senate Bill No. 1601, on same subject, was substituted for House Bill No. 1665.

Mr. Hudson moved that Senate Bill No. 1601 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	1
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford,

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Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representative voting no was: Miller--1.

Representative present and not voting was: Pickering--1.

A motion to reconsider was tabled.

House Bill No. 1666--To regulate fees, boiler inspection.

On motion, House Bill No. 1666 was made to conform with Senate Bill No. 1596.

On motion, Senate Bill No. 1596, on same subject, was substituted for House Bill No. 1666.

Mr. Hudson moved that Senate Bill No. 1596 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	2
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives voting no were: Davidson and Miller--2.

Representative present and not voting was: Spence--1.

A motion to reconsider was tabled.

RESOLUTION LYING OVER

Senate Joint Resolution No. 212--Relative to study, transportation services.

The Speaker referred Senate Joint Resolution No. 212 to the Committee on Transportation.

MOTIONS

On motion of Mr. Murphy (Davidson), House Bill No. 1525 was recalled from the Committee on Judiciary.

On motion of Mr. Murphy (Davidson), House Bill No. 1525 was referred to the Committee on Government Operations.

On motion of Mr. Murphy (Davidson), House Bill No. 1754 was recalled from the Committee on Judiciary.

On motion of Mr. Murphy (Davidson), House Bill No. 1754 was referred to the Committee on Government Operations.

ANNOUNCEMENTS

Mr. Speaker McWherter announced that Representative Joe Kent would be removed from the Committee on Education and assigned to the Committee on Finance, Ways and Means.

Mr. Lashlee announced that Representative Kent would be replaced on the Education Comprehensive Study Sub-Committee by Representative King (Washington).

SECOND ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 356--Relative to study, court clerk, certain counties--By Starnes.

The Speaker referred House Joint Resolution No. 356 to the Committee on Judiciary.

INTRODUCTION OF BILLS

House Bill No. 2194--To make certain provisions, state library system--By Starnes, Lashlee, Hillis, McKinney, Wood, Robinson (Hamilton), Davis (Hamilton), Rhinehart, Ellis, Murphy (Davidson), Robinson (Davidson), Disspayne, Cobb, Davidson, Wix, Naifeh, Clark (Davidson), Jared, Work, Bragg, Burnett, Buck, DeBerry, Spence, Johnson, Tanner, Richardson, Owen and Bivens.

Passed first consideration.

House Bill No. 2195--To change 1957 Purchasing Law--By Starnes and Davis (Hamilton).

Passed first consideration.

House Bill No. 2196--To amend Section 67-613, Code--By Starnes and Davis (Hamilton).

Passed first consideration.

House Bill No. 2197--To allow issuance, business tax licenses--By Starnes and Davis (Hamilton).

Passed first consideration.

House Bill No. 2198--To provide certain benefits, health insurance policies--By Starnes, Robinson (Hamilton) and Davis (Hamilton).

Passed first consideration.

House Bill No. 2199--To regulate public sale requirements, county and municipal bonds--By Spence and Sterling.

Passed first consideration.

House Bill No. 2200--To classify grant anticipation notes--By Spence and Sterling.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1120--To fix penalties, receiving money, certain

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contracts.

Passed first consideration.

Senate Bill No. 1484--To enact the Tennessee Criminal Sentencing Reform Act of 1982.

Passed first consideration.

Senate Bill No. 1521--To regulate retirement benefits, former governor.

Passed first consideration.

Senate Bill No. 1569--To amend Shelby County Restructure Act.

Passed first consideration.

Senate Bill No. 1591--To regulate group insurance, certain persons.

Passed first consideration.

Senate Bill No. 1639--To amend Title 64, Chapter 11, Code.

Passed first consideration.

Senate Bill No. 1675--To regulate issuance, certain license plates.

Passed first consideration.

Senate Bill No. 1726--To regulate Tennessee Law Enforcement Planning Commission.

Passed first consideration.

Senate Bill No. 1751--To amend Section 8-23-204, Code.

Passed first consideration.

Senate Bill No. 1849--To amend Shelby County Restructure Act.

Passed first consideration.

Senate Bill No. 2269--To regulate Knox County School Board.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2165--To regulate controlled substances.

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Passed second consideration and referred to Committee on General Welfare.

House Bill No. 2166--To provide for sale of state surplus

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2167--To amend Charter, South Pittsburg.

Passed second consideration and held without reference.

House Bill No. 2168--To regulate purchasing, South Pittsburg.

Passed second consideration and held without reference.

House Bill No. 2169--To change date, certain elections, South Pittsburg.

Passed second consideration and held without reference.

House Bill No. 2170--To establish cause, revocation contractors license.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2171--To amend Section 49-215, Code.

Passed second consideration and referred to Committee on Education.

House Bill No. 2172--To amend Section 40-2710, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2173--To levy hotel tax, Claiborne County.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2174--To allow compensation, clerical staff and assistant clerk, County Road Superintendent.

Passed second consideration and held without reference.

House Bill No. 2175--To amend building regulations.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2176--To probate jurisdiction, Rhea County.

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Passed second consideration and held without reference.

House Bill No. 2177--To levy privilege tax, motor vehicles.

Passed second consideration and held without reference.

House Bill No. 2178--To prohibit drinking open beer in public places, Dickson County.

Passed second consideration and held without reference.

House Bill No. 2179--To create a Probate and Juvenile Court, Dickson County.

Passed second consideration and held without reference.

House Bill No. 2180--To regulate health care and responsibility for costs.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2181--To regulate water safety.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 2182--To make certain provisions, city of Humboldt.

Passed second consideration and held without reference.

House Bill No. 2183--To levy privilege tax, Lake City.

Passed second consideration and held without reference.

House Bill No. 2184--To establish admissibility in court, certain scientific evidence.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2185--To enact the Credit Availability Act of 1982.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 2186--To amend Chapter 27, Title 67, Code.

Passed second consideration and referred to Committee on Commerce.

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House Bill No. 2187--To amend Sections 8-27-301 and 8-27-302, Code.

Passed second consideration and referred to Committee on Education.

House Bill No. 2188--To enact the Public Transportation Arbitration Act of 1982.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

House Bill No. 2189--To levy tax on tobacco products, Cocke County.

Passed second consideration and held without reference.

House Bill No. 2190--To provide for referendum, surplus property sale, Crossville.

Passed second consideration and held without reference.

House Bill No. 2191--To define qualifications, x-ray technicians.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 2192--To amend Section 53-2044, Code.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 2193--To regulate allocation of fuels.

Passed second consideration and referred to Committee on Conservation and Environment.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1537, 1675 and 1707; and House Joint Resolutions Nos. 325, 326, 328, 329, 330, 332, 333, 334 and 336; and find same correctly enrolled and ready for the signatures of the Speakers.

MARLYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House

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Bills Nos. 1537, 1675 and 1707; and House Joint Resolution Nos. 325, 326, 328, 329, 330, 332, 333, 334 and 336.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1480, 1871, 2002, 2003, 2006, 2016, 2017, 2053, 2094, 2117, 2124, 2125, 2126, 2130, 2136, 2155, 2167, 2168, 2169, 2176, 2177, 2178, 2189 and 2190.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, March 1, 1982: House Bills Nos. 1800, 1642, 1536 and 1503.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1576 and 1625; and House Joint Resolution No. 305; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolution No. 315, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1599--To amend Title 56, Chapter 13, Code;

1608--To regulate unemployment compensation;

1721--To amend Section 67-3003, Code;

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1744--To amend Sections 56-7-1003 and 56-7-108, Code;

1753--To regulate political activities, state employees;

1771--To amend Title 62, Chapter 2, Code;

1816--To regulate sheriffs' fee, service of papers;

1848--To amend Title 48, Chapter 19, Code;

1868--To regulate Board of Ground Water Resources;

1895--To regulate use, guide dogs, certain persons;

1900--To regulate Department of Correction;

1903--To redesignate certain exit signs, I-40;

1914--To regulate retirement benefits, widows of confederate soldiers;

1935--To amend Section 67-3614, Code,

1963--To provide for public post-secondary technical and community education, Western Tennessee;

1999--To regulate certain state loan programs;

2000--To make appropriations, retiring certain state notes;

2035--To increase longevity pay, certain employees; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

226--Relative to honoring Debra Carter;

227--Relative to sympathy, Z. Cartter Patten, Jr;

228--Relative to honoring Robert French, Jr.; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

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1395--To authorize hot mix asphalt facility, Montgomery County;

1427--To regulate West Carroll Special School District;

1483--To amend Charter, Springfield;

1551--To provide for Board of Education, Lauderdale County;

1587--To impose certain privilege taxes, Pickett County;

1646--To make certain provisions, county clerk, Sumner County;

1647--To provide for City Attorney, Gallatin;

1649--To amend Chapter 555, Private Acts, 1951;

1656--To set litigation tax, Trousdale County;

1861--To make provisions, General Sessions Court, Sumner County;

1970--To set jurisdiction, general sessions court, Pickett County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 336, signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 336; for his action.

MARLYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Burnett, the House adjourned until 6:00 p.m., Monday, March 1, 1982.